|  | JOSEPH P. RUSSONIELLO (CABN 44332)<br>United States Attorney  | 1           |
|--|---|-------------|
|  | BRIAN J. STRETCH (CABN 163973)<br>Chief, Criminal Division  | 2           |
|  | WILLIAM R. PLETCHER (CABN 212664)<br>SUZANNE MILES<br>Assistant United States Attorney  | 3           |
|  | 150 Almaden Boulevard, Suite 900<br>San Jose, CA 95113<br>Telephone: (408) 535-5061<br>Fax: (408) 535-5066<br>E-mail: Suzanne.Miles@usdoj.gov | 5<br>6<br>7 |
|  | Attorneys for Plaintiff   | 9           |
| ,  | UNITED STATE  | 10          |
| TA   | NORTHERN DIST   | 11          |
|  | OAKLA   | 12          |
| 77-SBA   | UNITED STATES OF AMERICA,   | 13          |
| ODDED EVOLUDING  | Plaintiff,  | 14          |
| ORDER EXCLUDING<br>ANT TO THE SPEEDY   | v. }  | 15          |
|  | JOSE ALBERTO VEGA MUNIZ,  | 16          |
| April 30, 2010   | Defendant.  | 17          |
| 0:00 a.m.<br>Hon. Donna M. Ryu   |   | 18          |
|  |   | 19          |
|  |   | 20          |
| Defendant Jose Alberto Vega-Muniz appeared at a status conference before the Court on        |   |             |
|  |   | 22          |
| Court enters this order documenting the exclusion of time pursuant to the Speedy Irial Act,  |   | 23          |
| 18 U.S.C. § 3136(h)(7)(A) and (B), from April 30, 2010, to May 19, 2010. The parties agreed, |   | 24<br>25    |
| and the Court found and held, as follows:  |   |             |
| 27 1. Defendant sought and agreed to the exclusion of time pursuant to the Speedy Trial      |   |             |
| 28   |   |             |
| [ <del>PROPOSED</del> ] ORDER RE: TIME EXCLUSION   |   |             |
|  | CR-10-00177-SBA   |             |
| pursuant to the Spe  |   | 28          |

1 Act so that defense counsel would have time to investigate and prepare for trial of this matter, 2 taking into account the exercise of due diligence. 3 2. Given these circumstances, the Court found that the ends of justice served by 4 excluding the period from April 30, 2010, to May 19, 2010, from Speedy Trial Act calculations 5 6 outweigh the interests of the public and the defendant in a speedy trial by allowing for the 7 defense to prepare effectively, in accordance with 18 U.S.C. § 3161(h)(7)(A) and (B)(iv). 8 IT IS SO ORDERED 9 GRANTED 10 May 3, 2010 11 DATED: April 30, 2010 ABLE DOXXA M. RYU 12 United States Magistrate Judge 13 14 Approved as to Form: 15 16 /s/Suzanne Miles **SUZANNE MILES** JAMES GILLER 17 MARIE KAYAL Assistant United States Attorney Counsel for United States Counsel for Defendant 18 19 20 21 22 23 24 25 26 27 [PROPOSED] ORDER RE: TIME EXCLUSION 28 CR-10-00177-SBA 2